



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

LETITIA JAMES
ATTORNEY GENERAL

DIVISION OF STATE COUNSEL
LITIGATION BUREAU

DIRECT DIAL: (212) 416-8373

February 6, 2020

By ECF

Hon. Sarah L. Cave
United States Magistrate Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *DeBlasio v. Smith*, No. 18 Civ. 6841 (AJN)(SLC)

Dear Magistrate Cave:

This Office represents Defendants in the above-referenced action. On February 3, 2020, this Court issued a Scheduling Order for a telephone conference to be held on February 18, 2020 at 4:00 p.m. See ECF Dkt. No. 41. I write, at the behest of Green Haven Correctional Facility, to respectfully request that the telephone conference be adjourned to February 19, 2020, at any time that is convenient for the Court between 9:30 a.m. and 3:00 p.m. An adjournment is needed because, due to staffing changes that take place after 3:00 p.m., the facility is not able to accommodate a legal call after that time. In the event that February 19 is not convenient for the Court, we would propose any other date for the call, provided it can be scheduled between 9:30am and 3:00pm.

This is the first request for an adjournment of this conference and Plaintiff's consent has not been sought because of the difficulty in prompt communications with pro se inmates. We thank the Court for its consideration.

Respectfully submitted,

/s/

Rebecca L. Johannesen
Assistant Attorney General
(212) 416-8373

DECLARATION OF SERVICE

Rebecca L. Johannesen, pursuant to **28 U.S.C. §1746**, declares under penalty of perjury as follows:

That I am over eighteen years of age and not a party to this action, and that on February 6, 2020, I served the foregoing Letter dated February 6, 2020, upon the following person:

Philip E. DeBlasio
NYSID 04489407Y
Green Haven Correctional Facility
594 Rt. 216
Stormville, New York 12582

by depositing a true and correct copy thereof, properly enclosed in a pre-paid wrapper, in a receptacle regularly maintained by United States Postal Service, directed to said person at the address within the State designated by him for that purpose in the Court's docket.

/s/ Rebecca L. Johannesen
Rebecca L. Johannesen
Assistant Attorney General

Executed on February 6, 2020

Defendants' Letter-Motion to adjourn the telephone conference (ECF No. 42) is GRANTED. The telephone conference scheduled for February 18, 2020 is adjourned to **Wednesday, February 19, 2020 at 10:00 am**. It is hereby **ORDERED** that the Warden or other official in charge of Green Haven Correctional Facility produce Plaintiff Philip E. DeBlasio, NYSID 04489407Y, on Wednesday February 19, 2020, no later than 9:45 am, to a suitable location within Green Haven Correctional Facility that is equipped with a telephone, for the purpose of participating by telephone in a conference with the Court and defendants' counsel. If the scheduled date and time for the conference presents a hardship, the Warden or the Warden's designee should promptly inform the Court by calling (212) 805-0214. It is further **ORDERED** that defendants' counsel must: (1) transmit this order to the Warden immediately; (2) contact Green Haven Correctional Facility to arrange the telephone call and determine the number at which Plaintiff will be reachable at the scheduled date and time; and (3) telephone chambers at (212) 805-0214 with Plaintiff on the line at the date and time of the conference. The Clerk of Court is respectfully directed to close ECF No. 42 and mail a copy of this order to the address below.

Philip E. DeBlasio
NYSID: 04489407Y
GREEN HAVEN
CORRECTIONAL FACILITY
594 Rt. 216
Stormville, NY 12582


SARAH L. CAVE
United States Magistrate Judge

SO-ORDERED 2/7/2020